

Electronically Filed October 23, 2007

LEWIS AND ROCA LLP

Susan M. Freeman (AZ 4199)

pro hac vice

Rob Charles (NV 6593)

Anne M. Loraditch (NV 8164)

530 Las Vegas Boulevard South

Las Vegas, Nevada 89101

Telephone (702) 385-3373

Facsimile (702) 385-9447

Email: sfreeman@lrlaw.com

rcharles@lrlaw.com

aloraditch@lrlaw.com

Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Affects:

☐ All Debtors

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☒ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR

Case No. BK-S-06-10726-LBR

Case No. BK-S-06-10727-LBR

Case No. BK-S-06-10728-LBR

Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**NOTICE OF ENTRY OF ORDER AND
CERTIFICATE OF SERVICE RE
STIPULATION FOR AMENDMENT OF
PROOF OF CLAIM NUMBER 10725-
00545 FILED BY ELIAS FAMILY TRUST
DTD 5/19/04**

Hearing Date: October 15, 2007

Hearing Time: 9:30 a.m.

PLEASE TAKE NOTICE that on the 22nd day of October, 2007, the Court entered
its Order Re Stipulation for Amendment of Proof of Claim Number 10725-00545 Filed by

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1 Elias Family Trust Dtd 5/19/04, a copy of which is attached hereto.

2 DATED this 23rd day of October 2007.

3 **LEWIS AND ROCA LLP**

4 By /s/ Anne M. Loraditch (008164)

5 Susan M. Freeman

6 Rob Charles

7 Anne M. Loraditch

8 530 Las Vegas Boulevard South

9 Las Vegas, Nevada 89101

10 Telephone: (702) 385-3373

11 Facsimile: (702) 385-5024

12 *Attorneys for USACM Liquidating Trust*

13 **CERTIFICATE OF SERVICE**

14 I certify that a copy of the foregoing was served via first class mail, postage
15 prepaid, addressed as set forth below, on this 23rd day of October, 2007 to:

16 Elias Family Trust Dtd 5/19/04

17 c/o Donna M. Elias Successor Trustee

18 9900 Wilbur May Parkway, Apt. 502

19 Reno, NV 89521-4014

20 By /s/ Patricia M. Kois

21 Patricia M. Kois, Lewis and Roca LLP



Entered on Docket
October 22, 2007

Hon. Linda B. Riegler
United States Bankruptcy Judge

LEWIS AND ROCA LLP
Susan M. Freeman (AZ 4199)
pro hac vice
Rob Charles (NV 6593)
Anne M. Loraditch (NV 8164)
530 Las Vegas Boulevard South
Las Vegas, Nevada 89101
Telephone (702) 385-3373
Facsimile (702) 385-9447
Email: sfreeman@lrlaw.com
rcharles@lrlaw.com
aloraditch@lrlaw.com

Attorneys for USACM Liquidating Trust

**ORRICK, HERRINGTON &
SUTCLIFFE LLP**
Marc A. Levinson (CA 57613)
pro hac vice
Jeffery D. Hermann (CA 90445)
pro hac vice
400 Capitol Mall
Sacramento, California 95814
Telephone: (916) 447-9200
Facsimile: (916) 329-4900
Email: malevinson@orrick.com
jhermann@orrick.com

Attorneys for Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC

SNELL & WILMER, LLP
Robert R. Kinas (NV 06019)
Claire Dossier (NV 10030)
3883 Howard Hughes Parkway
Suite 1100
Las Vegas, Nevada 89169
Telephone: (702) 784-5200
Facsimile: (702) 784-5252
Email: rkinas@swlaw.com
cdossier@swlaw.com

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND,
LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**ORDER RE STIPULATION FOR
AMENDMENT OF PROOF OF CLAIM
NUMBER 10725-00545 FILED BY ELIAS
FAMILY TRUST DTD 5/19/04**

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☒ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

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**LEWIS
AND
ROCA**
LLP
LAWYERS

The Court having considered the Stipulation For Amendment of Proof of Claim Number 10725-00545 Filed By Elias Family Trust dtd 5/19/04 (the "Stipulation"), and good cause appearing:

IT IS HEREBY ORDERED that:

1. the Stipulation is approved;
2. Proof of Claim No. 10725-00545 is hereby amended to a general unsecured claim in the amount of \$76,952.62;
3. Proof of Claim No. 10725-00545 is hereby disallowed in its entirety as against DTDF;
4. Claimants' equity interest in DTDF is allowed in the amount of \$48,047.32, as reflected in DTDF's books and records as of the Petition Date; and
5. the hearing on the Objection to Claim No. 10725-00545, scheduled for December 14, 2007, is vacated.

PREPARED AND RESPECTFULLY SUBMITTED BY:

LEWIS AND ROCA LLP

SNELL & WILMER, LLP

By /s/ Anne M. Loraditch (008164)
Susan M. Freeman
Rob Charles
Anne M. Loraditch
530 Las Vegas Boulevard South
Las Vegas, Nevada 89101
Telephone: (702) 385-3373
Facsimile: (702) 385-5024

By /s/ Robert R. Kinas (006019)
Robert R. Kinas
Claire Dossier
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, Nevada 89169
Telephone (702) 784-5200
Facsimile (702) 784-5252

and

Attorneys for USACM Liquidating Trust

**ORRICK, HERRINGTON &
SUTCLIFFE LLP**

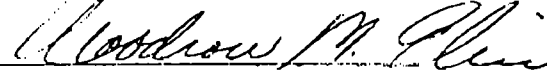
Marc A. Levinson
Jeffery D. Hermann
400 Capitol Mall, Suite 3000
Sacramento, California 95814-4497

*Attorneys for USA Capital Diversified
Trust Deed Fund, LLC*

LEWIS
AND
ROCA
LLP
LAWYERS

1 APPROVED:

2 ELIAS FAMILY TRUST DTD 5/19/04

3 By: 

4 WOODROW MARK ELIAS,
5 TRUSTEE

6 9900 Wilbur May Parkway # 1401
7 Reno, Nevada 89521

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